

Disaster Housing Assistance Program – Ike (DHAP-Ike) FAQs

Last Update on January 10, 2011

Eligibility

1. Who is Eligible for DHAP-Ike?

Families that have been displaced by Hurricanes Ike or Gustav are eligible for DHAP-Ike. These families include:

- 1) Previously HUD-assisted families that cannot return to their HUD-assisted unit by November 1, 2008. A previously HUD-assisted family is a family who, immediately prior to the evacuation, must have either:
 - a. Resided in a HUD-assisted dwelling unit; or
 - b. Received rental or facility based assistance through Special Needs Housing program (Supportive Housing Program (SHP-PH), Shelter Plus Care (S+C), or Housing Opportunities for Persons with AIDS (HOPWA)).
- 2) DHAP families displaced from their units
- 3) Previously unassisted families and individuals referred to DHAP-Ike by FEMA

2. Who determines DHAP-Ike families eligible for assistance?

FEMA is solely responsible for determining if the family is initially eligible to receive assistance under DHAP-Ike. Neither HUD nor the PHA can decide that a family is initially eligible for DHAP-Ike without a referral from FEMA.

3. If a family received Housing Choice Voucher assistance after Hurricanes Ike and Gustav, but then either loses this assistance or chooses to leave the HCV program, are they then eligible for DHAP-Ike rental assistance if they were originally referred by FEMA to HUD for this assistance?

No. If a family received HCV assistance at any point after Hurricanes Ike and Gustav, and subsequently left the HCV program or lost this assistance, they are not eligible for rental assistance under DHAP-Ike. This includes family members who were a part of these households.

4. *Are regular Tenant-based voucher families eligible for DHAP-Ike?*

No. Tenant-based voucher participants displaced from their communities beyond the short-term by Hurricanes Ike and Gustav will receive housing assistance under the regular voucher program through existing portability feature of that program.

5. *If the owner of a unit is unwilling to participate in DHAP-Ike, can the family receive DHAP-Ike assistance while residing at that unit?*

No. If the owner is unwilling to participate, the family must move to receive DHAP-Ike assistance. If the family chooses to stay at the unit they will be terminated from DHAP-Ike.

6. *For families applying for DHAP-Ike to HCV conversion, will the PHA be allowed to rely on document review and family's declaration or certification that the income information submitted by the family is true and complete (rather than other source methods like third party written) when determining whether the family is income eligible for voucher assistance and to calculate the family's initial total tenant payment (TTP), as instructed by Paula O. Blunt for the DHAP Katrina Conversion?*

It has not been determined yet whether there will be a DHAP-Ike to HCV conversion, so policies are not at the point of being decided as of this date.

7. *Are there income requirements for DHAP-Ike assistance?*

Initially there are no income eligibility requirements for DHAP-Ike assistance. However, only families with housing costs that exceed 30 percent of the family's monthly income are eligible for continued DHAP-Ike rental assistance and case management services after the earlier of July 31, 2009, or six months following the effective date of the initial DRSC executed on behalf of the family.

8. *If a family is listed in DIS, and is not assigned to a PHA, who can assign the family to a PHA?*

Only HUD and HUD contractors may assign or re-assign a family to the PHA. If a family comes to the PHA seeking assistance, the PHA should have the family contact the HUD Resource Call Center (RCC) at 1-866-785-3239 or 1-866-373-9509 for assignment to a PHA.

**As of December 23, 2010, the RCC is no longer operational. For questions or concerns related to DHAP-Ike, please call 1-877-483-2251, or email dhap-ike@hud.gov*

9. *If a family enters a PHA seeking DHAP-Ike assistance, and is not in DIS, where should the PHA refer the family?*

The family should be referred to FEMA. FEMA can be contacted at 1-800-621-FEMA (3362).

10. *Can a DHAP-Ike eligible family live in a unit owned by a relative?*

If the owner of the property is a parent, child, grandparent, grandchild, sister, or a brother of any member of the family, then the DHAP-Ike eligible family may not reside in the unit and receive DHAP-Ike assistance. However, if the PHA determines that approving the unit, notwithstanding such relations, would provide reasonable accommodation for a family member who is a person with disabilities, then the unit can be owned by a relative.

11. *If the family composition changes AFTER November 1, does FEMA approve the change in family composition?*

Assuming the Head-of Household that is designated by FEMA remains in the family, then FEMA does not approve a subsequent change in head of household for that family.

If the family member designated as the Head-of-Household dies or otherwise leaves the household, the remaining family members may be still eligible for continued DHAP-Ike assistance. At least one remaining family member must have been part of the family originally determined eligible by FEMA (as evidenced by the original family record in DIS) and must have legal capacity to enter a lease under state and local law. If these conditions are met, the PHA will continue to assist the family.

However, if none of the original family members have such legal capacity under state and local law, the family is not eligible for continued DHAP-Ike rental assistance. Should the family wish to add a new member with legal capacity to enter into a lease; the PHA will report the proposed change in family composition to HUD by contacting the HUD RCC. HUD in turn will contact FEMA to make the final determination as to whether the family, with such a change in composition, is eligible for continued assistance under DHAP-Ike. FEMA will advise the family of the final determination and HUD will advise the PHA of the FEMA determination. The new family member with legal capacity must agree to and follow the family obligations.

12. *Can a DHAP-Katrina family who was subsequently displaced by Hurricanes Ike or Gustav (and referred by FEMA for DHAP-Ike) come onto the DHAP-Ike program at any time?*

Yes, as long as the DHAP-Katrina and DHAP-Ike assistance to the family do not overlap.

13. *What is the required family identification documentation that a PHA must have in a DHAP-Ike tenant file for that family?*

Though the DHAP-Ike requirements do not specifically enumerate what forms of identification are required, PHAs should have sufficient documentation to ensure that the individual being assisted is the individual referred by FEMA.

14. *Is there a deceased tenant report for DHAP-Ike similar to the HCV program available to PHA's?*

No. OIG ran Ike referrals through the Social Security data base. Deceased HOH were EOP'd in DIS.

Case Management and DIS

15. *Is the PHA responsible for providing housing search assistance to the family?*

Yes. The PHA is responsible for such assistance. Once a unit is located, the PHA may help facilitate the execution of the lease.

16. *Under DHAP-Ike, what is the ratio of case managers to participants?*

The overall PHA ratio of case managers to participants shall not exceed 1:50.

17. *Under case management, what must be included in the long term goals of the Individual Development Plan (IDP)?*

Permanent Housing must be included in these goals.

18. *What is the Case Management Reporting System that will be used for DHAP-Ike?*

PHAs are required to report case management outputs and outcomes through ETO (Efforts to Outcomes) case management software which is the DHAP-Ike Case Management Reporting System for the duration of the program. The system is accessed at www.DHAP-Ike.com.

19. *How do we get access to the new Case Management Reporting System?*

To gain access to ETO, a Primary Point of Contact (POC) must register for each PHA at www.DHAP-Ike.com. A TA provider will verify the User ID request with the PHA. The POC request will be verified within 24 hours. Once registration has been completed, case manager user requests can be processed. When a case manager User ID request is made, the POC at their agency will validate and approve access. This verification of case manager requests is maintained at the PHA level to secure access to client's protected information.

HUD is asking all PHAs to have a POC registered with the system by December 1, 2008. Regional training sessions will begin in Houston on December 2, 2008.

To gain access to the ETO system and receive a User ID:

1) Go to www.DHAP-Ike.com

- 2) Enter the user name register and the password register1
- 3) Select Register for DHAP-IKE Case Management and hit Go

20. *If a family refuses to participate in case management services, are they still eligible for DHAP-Ike assistance?*

No. If the family refuses case management services, the PHA must inform the family that they will not be able to participate in DHAP-Ike. Additionally, the PHA must request a signed and dated statement from the family acknowledging that the family understands that as a result of their refusal to comply with these requirements, the family may not participate in DHAP-Ike or any other FEMA housing program.

21. *Will PHAs still be able to assign or port families in DIS?*

After a DRSC has been executed, a PHA can port the family to another DHAP-Ike participating PHA if the family would like to move (families can exercise the opportunity to move to another PHA's jurisdiction with continued DHAP-Ike assistance only once). The initial DHAP-Ike PHA completes the portability move-out information in DIS.

If no DRSC has been executed, this is not a port but a re-assignment. A PHA cannot re-assign families. Instead, the PHA must request a reassignment by contacting the HUD RCC to change the PHA assignment in DIS.

22. *The contract effective date in DIS was not preloaded as it was under DHAP-Katrina. What date do PHAs input?*

The date to enter will be the effective date for the DRSC.

23. *When I got into ETO, I am unable to see some of the ported-in families. Who do I contact to get this family assigned in ETO?*

If a family has been ported in, it may take two weeks for the family to show up on the ETO caseload. However, you may want to check DIS to see if in fact the family was ported in the first place.

24. *How do I contact the ETO representative? Is there some where I can email?*

You may contact ETO representative at;

- Vanessa Patterson – LA; (239) 242-0665;
vpatterson@informationpathwaves.com
- Yvette Camel Smith – TX; (713) 655-0332;
ycamelsmith@informationpathwaves.com

- Natasha Emery – Rest of US; (713) 655-0332;
nemery@informationpathwavess.com

Alternatively, email DHAP-Ike@hud.gov and your request will be forwarded to Information Pathwaves to provide further assistance.

25. *I am experiencing problems downloading information from DIS. Can I request a listing through the DHAP-Ike mailbox, DHAP-Ike@hud.gov?*

Yes, please email DHAP-Ike@hud.gov with your request, including your PHA number and PHA name and someone on our team will respond to it.

Lease and DRSC

26. *If a PHA is unable to enter a DRSC into DIS before the monthly DRSC deadline, should it still honor a lease effective date for that month?*

The PHA should honor its legal obligation and make the monthly subsidy payment, regardless of whether they failed to enter information into DIS. If the PHA has executed a DRSC that is effective, they are contractually obligated to make payment, and any duplicate payments to the family (for example, a bridge payment from FEMA) would be recaptured.

27. *Can the PHA back-date a DRSC 30 Days under DHAP-Ike?*

Yes. The DHAP Operating Requirements (HUD Notice PIH 2008-38, section 4.k) provide that the PHA can execute a DRSC up to 30 days after the PHA has approved the unit for leasing. However, the PHA cannot approve the unit for an “unassigned” family until the PHA has inspected the unit and it has passed the PHA inspection standards.

28. *Who determines the effective date of the DRSC for both pre-assigned and unassigned families?*

FEMA provides this data to HUD based on the amount of housing/temporary shelter assistance that FEMA has already provided for the family in order to avoid the duplication of assistance on behalf of the family.

29. *Can the effective date of the Disaster Rent Subsidy Contract (DRSC) begin before the DHAP-Ike effective date in DIS?*

No. The effective date of the DRSC cannot be prior to the date listed in DIS. Prior to the rental payment effective date provided to the PHA as part of the family referral, the owner will continue to receive payments from FEMA (including FEMA contractors).

30. *Who is responsible for enforcing the terms of the lease?*

The owner is responsible for enforcing the terms of the lease, including collecting any charges for unit damage by the family.

31. *Can DHAP-Ike families do a lease purchase under DHAP-Ike?*

Yes, provided all the DHAP-IKE requirements can continue to be met. Some of the major caveats are:

1. The DRSC would have to be terminated before the family assumes any homeownership interest in the unit (e.g., exercises the option to purchase), regardless of whether that option kicks in prior to the end of DHAP-Ike or whether the family still meets the continued eligibility requirements of the program at the time the purchase option is to be executed. Both the family and the landlord need to be advised of this fact.
2. DHAP-Ike is a rental assistance program only. If the lease-rent under the lease-to-purchase arrangement contains any identifiable homeownership premium (e.g., an escrow account or extra charge on top of rent to assist family in accumulating down payment), the PHA cannot approve the tenancy. (Also see rent reasonableness discussion below if the 'homeownership premium' is not identified as such but the rent exceeds the rent that would be charged if there was no purchase option.)
3. While the unit is under DRSC, the landlord is responsible for all of the owner's responsibilities under the DRSC (including maintaining the unit). The landlord cannot "pass on" any of the owner's responsibilities under DHAP-Ike to the tenant through the lease-purchase arrangement. (Some lease purchase arrangements expressly provide that the tenant is responsible for maintaining the unit and paying for repairs.
4. Unlike the voucher program, rent reasonableness determinations cannot take the lease-purchase option into consideration. In other words, the rent must be reasonable compared to similar, unassisted rental units. The PHA does not take "benefit of potential ownership" into consideration in determining if the rent of the unit is reasonable, but treats it as it would any other potential DHAP-Ike unit. In other words, DHAP-Ike will pay no more in subsidy than it normally would for the unit, regardless of whether the landlord is giving the tenant the opportunity/assistance to buy the unit at some point down the road.

Payments and Deposits

32. *If the families are currently residing in a hotel and are able to lease up before 12/1/08, should the PHA make the partial payment for November 2008, or will the payment be made by FEMA or FEMA's contactor?*

FEMA is responsible for assisting DHAP-Ike eligible families for the month of November 2008. These families would have used the assistance for rent while living at a rental unit, or have used the assistance for a hotel/motel. The PHA will want to have the DRSC in place by November 24, 2008 to ensure that the December 2008 rental assistance is sent to the landlord on time.

33. *Are DHAP-Ike families required to contribute to rent?*

Beginning on May 1, 2009, families will be required to pay a portion of the rent of \$50, which will increase by an additional \$50 each subsequent month. This is called the Incremental Rent Transition (IRT). This amount is in addition to the family's share in cases where the monthly rent exceeds the monthly rent subsidy.

Every DHAP-Ike participant pays the same IRT; the amount is not dependent upon when the participant entered the program. The breakdown is as follows:

May 2009: \$50	January 2010: \$450
June 2009: \$100	February 2010: \$500
July 2009: \$150	March 2010: \$550
August 2009: \$200	April 2010: \$600
September 2009: \$250	May 2010: \$650
October 2009: \$300	June 2010: \$700
November 2009: \$350	July 2010: \$750
December 2009: \$400	August 2010: \$800

34. *Beginning May 1, 2009, who is responsible for collecting the family's portion of the rent attributable to the incremental rent transition?*

The landlord is responsible for collecting the family's portion of the rent.

35. *Are there exemptions to the Incremental Rent Transition (IRT) for DHAP-Ike families?*

Families can be determined exempt from the IRT on the basis of economic hardship. The process for determining economic hardship is outlined in Section 4.i of the DHAP-Ike Operating Requirements (PIH 2008-38).

36. *Can a family rent a unit under DHAP-Ike where the rent exceeds the monthly rent subsidy?*

Yes, the family may rent a unit where rent exceeds the monthly subsidy; however, in such cases the family is responsible for covering the portion of the rent that exceeds the monthly rent subsidy. Tenants are also responsible for any utility costs that are not included in the rent under the lease.

37. *How many days before changes in rent must the owner notify the PHA?*

The owner must notify the PHA of any such changes in the amount of rent charged under the lease at least thirty (30) days before any such changes goes into effect.

38. *Who does the monthly rent subsidy get paid to?*

The monthly rent subsidy is paid directly to the landlord under the DRSC.

39. *How is the monthly rent subsidy for DHAP-Ike participating units calculated?*

Until May 1, 2009, the monthly rent subsidy equals the lesser of:

1) The monthly rent specified in the lease;

or

2) The greater of:

a. the applicable FMR published for the area where the unit is located.

b. the applicable payment standard for the PHA's housing voucher program.

Starting May 1, 2009, families participating in DHAP-Ike will be required to pay a portion of the rent (in addition to any existing family share in cases where the monthly rent already exceeds the monthly rent subsidy). PHAs will implement the incremental rent transition by reducing the rental subsidy payment by \$50 for the May 2009 rent subsidy payment. This reduction shall be incrementally increased by an additional \$50 each month thereafter until the family's participation in DHAP-Ike ends, the rent subsidy amount equals \$0, or until March 2010, whichever comes first. See FAQ #5 for a breakdown of IRT payments by month.

40. *What is FEMA's Initial DHAP-Ike Rent Subsidy Calculation determination based on?*

FEMA's eligibility determination is based on the actual composition of the household that was displaced by the disaster. The amount of such assistance is not adjusted to cover subsequent increases in the family size that occurred after the disaster.

41. *Is the applicable FMR/payment standard used to calculate the family's DHAP-Ike monthly rent subsidy limited by the 'Prior Bedroom Size' field in DIS?*

No. The DHAP Operating Requirements (HUD Notice PIH 2008-38, section 4.h) provide that the applicable FMR/payment standard is based on the bedroom size for which the family's size and composition qualifies under the PHA subsidy standards for the PHA's Housing Choice Voucher (HCV) program. The applicable FMR/payment standard is not further limited by the 'Prior Bedroom Size' field in DIS. The PHA determines the applicable FMR/payment standard by taking the lesser of:

- (1) The FMR/payment standard for which the family qualifies under the PHA HCV subsidy standards:
- Or
- (2) The FMR/payment standard for the bedroom size of the actual unit leased.

Note that the PHA may not add additional members to the family that are not reflected in the original DIS record. If the family size and composition differs from the original DIS record provided to the PHA, the PHA always uses the smaller of:

- 1) The family unit size for which the composition of the family reflected in the original DIS record qualifies under the PHA HCV subsidy standards: or
- 2) The family unit size for which the current composition of the family now qualifies under the PHA HCV subsidy standards.

If the family claims that the family composition was inaccurately reflected in the original DIS record provided by FEMA, the family must pursue the matter with FEMA. FEMA is responsible for all initial eligibility determinations. The FEMA contact number in such instances is 1-800-621-FEMA (3362). Note that a family is not restricted from selecting a unit where the number of bedrooms exceeds the bedroom size for which the family qualifies under the PHA subsidy standards. The family is always responsible for any portion of the rent that is not covered by the monthly rent subsidy.

42. *Does HUD dictate how the 30% of income is calculated or should we use a calculation similar to the one used for HCV where other housing obligations such as the pre-disaster house mortgage?*

No, PHAs should follow the DHAP-Ike program guidelines in calculating income. For calculating income/housing costs for continued eligibility purposes, housing obligations such as the pre-disaster house mortgage are added to the DHAP-Ike gross rent to determine housing costs. This allows the PHA to calculate if the family's current housing costs exceed 30 percent of the family's current monthly income as required by FEMA.

43. *How is the applicable FMR/Payment Standard Calculated?*

The applicable FMR/payment standard is the lesser of:

- 1) The FMR/payment standard for the bedroom size for which the family qualifies for under the PHA subsidy standards for the Housing Choice Voucher program (family unit size); or
- 2) The FMR/payment standard for the bedroom size of the actual unit leased.

44. *Can a family choose a unit that exceeds the applicable FMR/payment standard?*

Yes. The family may select a unit where the monthly rent exceeds the applicable payment standard. However, the family is responsible for any portion of the rent that is a result of selecting such unit is not covered by the monthly subsidy.

45. *What is the vacancy payment provision?*

The vacancy payment can only be made when the family is trying to or requesting to terminate during the lease term. There needs to be a mutual termination agreement between the family and the landlord. The reason for termination is for the family to return home to the pre-disaster address and the lease term under DHAP has not yet expired. The vacancy payment can be made of up to 2 months rent if the owner agrees to mutually terminate the lease. However, if there is 1 month left on the lease, the payment can be for only 1 month of rent.

46. *Can the PHA provide the owner a vacancy payment if the family vacates the unit without notifying the owner?*

The PHA cannot provide vacancy payments to the owner if a family vacates the unit without notifying the owner. The owner may take necessary actions against the family in accordance with state and local law.

47. *Is utility deposit assistance provided in the DHAP-Ike program?*

Yes. Utility deposit assistance, including connection fees, is provided for families assuming they have asked for it, and certified that they are in need of assistance. The maximum utility deposit is limited to \$400 for the family.

48. *Does DHAP-Ike provide security deposit assistance?*

Yes. Security deposit assistance is provided assuming the family has asked for it and certifies that the assistance is needed. Once completed, the PHA may make payment directly to the landlord on behalf of the family. The security deposit is

limited to the applicable Fair Market Rent for the unit published in the area. However, the landlord is not limited to the FMR and may request a higher amount. In this instance, the difference in allowable amount must come from other sources (i.e. the family). Once the family vacates the unit, the owner must return the money to the PHA less any amounts the owner could retain under the terms of the lease and state and local laws.

49. *How should security deposits be used?*

Security deposits are used to offset damages. This is a common practice for the HCV program and normal rental agreements. When a family leaves the program, the PHA should instruct the landlord that the funds should not be paid to the family; instead the remainder (deposit net of damages) is paid to the PHA.

50. *Can a DHAP-Ike family receive reimbursement for utility and security deposits if already paid to the landlord?*

If the family was under lease before entering into a DRSC with the PHA, the PHA must verify that security and utility deposits have already been paid. If it is confirmed that security and utility deposits have been paid, the family is not eligible for reimbursement for the security and utility deposits.

51. *Can utility and security deposits be paid directly to tenants?*

No. PHAs are supposed to issue payments directly to the landlord or utility company on behalf of the tenant. Payments are not supposed to be paid directly to the families. PHAs are required to report security and utility deposits in DIS for each family and monthly totals in VMS.

52. *Who retains the security and utility deposits?*

As long as the family resides in the unit, the owner and the utility company retain such deposits. PHAs should notify the landlord/utility company that the family is no longer participating in the program and security/utility deposits were paid on their behalf by the PHA. As such deposits need to be repaid to the PHA when the family leaves the units as the funds must be returned to the federal government. There is no time limit. The funds still need to be returned to the government even if the family leaves the unit 5 or 10 years later, well after the end of the program. Upon conclusion of the program HUD/FEMA will provide further guidance where to send the funds. Until then, the PHA needs to report returns in VMS. These entries will be used to reduce the PHA needs and incorporated in the final reconciliation calculations.

53. *How are refunds handled regarding utility and security deposits?*

Refunds need to be returned to FEMA/HUD, not families by the PHAs. Families are not supposed to retain refunds from the PHA, landlord, or utility company. In several cases, the landlord or utility company have paid the families directly net

of any damages or payments still due. The PHA should attempt to collect such funds from the families and return those funds collected to HUD or FEMA through their normal collection process.

- 54. *What happens if the family left the unit and the utility/security deposit was paid to them instead of the PHA and the family refuses to return the utility/security/deposit to the PHA?***

The PHA would have an outstanding debt and should collect this debt as they would other debts such as those incurred for the HCV program. In addition the family would be ineligible for other PHA assistance until the debt is settled. This would be grounds to deny the family a HCV conversion if they were to apply for one.

- 55. *Can families be forced to pay back security and utility deposits once they have graduated from the DHAP-Ike program?***

PHAs are using FEMA funds to pay for security and utility deposits on behalf of the family. Families cannot be forced to pay such deposits just because they graduate from the program, are terminated (EOP'd) for family obligations, or the program simply ends and they still reside in the unit. In these cases, the landlord or utility company will still have the funds. Until the family vacates the unit, the landlord or utility company is not required to return such funds.

- 56. *What happens if the PHA paid families directly for deposits instead of the landlord or utility company?***

In the event PHAs paid families directly for deposits instead of the landlord or utility company, the PHA is responsible for reimbursing the DHAP-Ike program as per the DHAP-Ike Operating Requirements. PHAs are required to make payment on behalf of the family, not directly to the family. The PHA may use DHAP-Ike Administrative Fees to reimburse the program for these erroneous payments.

- 57. *Can the PHA have the family assign the return of the deposit rights to them?***

No, most utility companies do not allow this because of state or local laws. The PHA can treat the funds as a debt net of damages once the family moves out of the unit. At which point, the PHA could try to collect this debt as they do other tenant debts. In addition, the family would be ineligible for other PHA assistance until the debt is settled. This would be grounds to deny them a HCV conversion if they were to apply for a voucher.

- 58. *Who should PHAs remit deposits to, as the DHAP-Ike program comes to an end and deposits are received back?***

Upon conclusion of the Ike program final close-out reconciliation, HUD/FEMA will issue instructions to PHA where to send to such funds.

59. *Will HUD be reconciling all DHAP funds? Does this include HAP, Administration Fees, Case Management Fees and Security Deposit, Utility Deposit or Placement Fees?*

Yes each pot of funding will be reconciled separately. HUD currently is working with PHAs on the Placement fee reconciliation. The next settlement will be Security Deposit (SD) and Utility Deposits (UD). Please remember that PHAs should report deposit returns in VMS. These amounts will be netted against the UD and or SD expense as part of the reconciliation calculation.

Hearings, Appeals and Terminations

60. *What should the PHA do if the family is claiming that the FEMA record on the family composition at the time of the displacement is not accurate?*

If the family wishes to appeal the family composition determined eligible by FEMA for DHAP-Ike assistance, the family must be referred by the PHA to FEMA at the following telephone number: 1-800-621-FEMA (3362).

The PHA does not evaluate the family's claim and attempt to decide whether the FEMA determination was incomplete or inaccurate. This is a FEMA eligibility determination issue. The applicant may appeal the family composition to FEMA by substantiating and proving the larger family composition. The applicant should look to the book "Help After a Disaster" that was distributed after the hurricane for guidance on the appeal process. In summary, the applicant should draft a letter explaining the family composition and provide Birth Certificates and Social security numbers for all family members and fax the information to a FEMA counselor at 1-800-827-8112.

If FEMA has exported the file to HUD, the PHA will need to document that FEMA has approved the change in family composition before making the change in DIS. The PHA could note in the comment section in DIS that it is making the change per FEMA approval.

The PHA should not make the change and correction in DIS and adjust the payment to reflect the revised family composition unless the change in family composition has been approved by FEMA. This is a FEMA determination, not a PHA or HUD determination

61. *Is a family still eligible to receive DHAP-Ike rental assistance if the family is paying 100 percent of its rent and the PHA is paying zero rental subsidies on behalf of the family?*

In this case, the family is no longer eligible to receive DHAP-Ike rental assistance. The family's participation in the program ends and the DRSC is terminated.

62. *What happens if a previously HUD-assisted family's unit is available for re-occupancy before the family is placed under the DRSC?*

HUD will place an end-of-participation (EOP) code on the family's record and refer the family back to FEMA to determine if the family is still eligible for DHAP-Ike assistance. The PHA shall not assist the family until the determination is made by FEMA that the family remains eligible for DHAP-Ike assistance.

- 63. *How should a family be reported in DIS if they returned to their previously assisted unit (or never left) after being determined eligible by FEMA?***

A "previously assisted unit" would include public housing and units assisted under DHAP-Katrina. A family that returned to their previously assisted unit – either public housing or DHAP-Katrina unit – and resumed receiving public housing assistance or DHAP-Katrina rental assistance in the DHAP-Katrina unit should be EOP'd in DIS with the reason reported as "returned home."

- 64. *If a family voluntarily leaves the program and is EOP'd by the PHA, can they return to receive rental assistance at a later date?***

Yes. Only families that are EOP'd for cause are ineligible for future assistance.

- 65. *How should the PHA process a family who refuses DHAP-Ike Assistance?***

PHAs should EOP families that refuse DHAP-Ike assistance. The PHA should make every attempt to receive certification that the family has refused this assistance. The PHA will retain documentation and include it in the family's file. If the family decides in the future that they want to receive rental assistance, barring any separate determination that the household is no longer eligible for the DHAP-Ike, they may receive assistance through the program.

- 66. *When a family is being terminated from DHAP-Ike by the PHA for violation of family obligations, can the PHA cut off rental assistance immediately upon notifying the family?***

No. In order to terminate assistance because of noncompliance with DHAP-Ike family obligations, the PHA must provide the family with advance written notice of the termination action. The PHA must give the family an opportunity to request an informal hearing to consider whether the PHA decision is in accordance with DHAP-Ike requirements.

Depending on the timing of the termination and the hearing outcome, a PHA may be required to make an additional payment on a family EOP'd for violation of family obligations.

The PHA must look to their administrative plan to determine how many days the family is given to request a hearing on the PHA's decision to terminate the family (e.g. 10 days from the date of the PHA's notification of termination of assistance). During this period of time (after the PHA's notification to the family, but prior to the family's deadline to request a hearing), if the monthly HAP payment would normally occur, the PHA must make this payment unless both the hearing and the

issuance of the written decision upholding the termination have occurred before that payment is scheduled to be made.

For example, if a family's HAP payment is normally paid to the landlord on the first of the month, the family is notified on 10/25 that the PHA has decided to terminate the family for violation of family obligations, and that the family has 10 days to request a hearing about this decision, then the PHA must make the next monthly HAP payment for the family (on 11/1), even if the family has not yet requested a hearing.

If, alternately, this family requests a hearing on 10/26, the hearing takes place on 10/27, and the written decision upholding the termination is issued on 10/28, then the PHA is not required to make a HAP payment for the family on 11/1.

- 67. *If a family requests a hearing on their termination from DHAP-Ike, can a PHA stop making rental assistance payments for that family before the hearing officer has issued the written decision from the family's hearing?***

No. When a family is notified by the PHA of the PHA's decision to terminate the family's DHAP-Ike assistance, the family has a right to an opportunity for an informal hearing to determine whether the PHA decision is in accordance with DHAP-Ike requirements. When the family has requested a hearing, the PHA may not terminate the family's participation in DHAP-Ike until the hearing officer has issued the written decision in accordance with 24 CFR 982.555(e)(6). This means that the PHA must continue to make DHAP-Ike HAP payments for the family until the hearing officer has issued the written decision from the hearing.

- 68. *Can a PHA deny a family's request for an informal hearing if the family fails to submit documentation before the hearing justifying the family's grounds for an appeal?***

No. In order to terminate rental assistance under DHAP-Ike, a PHA must notify the family of the termination action and give the family an opportunity to request an informal hearing to consider whether the PHA decision is in accordance with DHAP-Ike requirements. A family must follow the proper procedures (as detailed in the PHA's administrative plan) to request an informal hearing. However, when a family has properly requested an informal hearing, the question of whether this family also submits documentation to the PHA prior to the hearing that justifies the family's grounds for an appeal is irrelevant as to whether or not the family should be granted a hearing.

Note: Under 24 CFR 982.555(e)(ii), a PHA's hearing procedures may provide that the PHA be given the opportunity to examine any family documents before the hearing, and if the family does not make the document available, the family may not rely on the document at the hearing. This is different from denying the family a hearing. Families cannot be denied a hearing on the basis of failing to provide documentation justifying their appeal prior to the hearing.

- 69. *If a PHA erred by failing to provide a hearing to a DHAP-Ike family who requested a hearing upon termination from the program, does the PHA have to make back-payments of HAP for the family?***

Yes. If a PHA erred and did not offer a hearing to a DHAP-Ike family who requested a hearing upon termination from the program, the PHA must correct this error by providing the family with a hearing, and, regardless of the outcome of that hearing, the PHA must make back-payments of monthly rental assistance for the family. These back-payments of HAP must be issued for the months beginning from the date when the family was terminated to the date when the hearing officer issues the written decision from the hearing. This time period represents the period during which the family should have been assisted with DHAP-Ike HAP payments (i.e. – the family should not have been terminated from the program), as the family had not yet received the hearing they requested.

HUD will pay one month of these back-payments from the DHAP-Ike HAP fee, but if more than one month of fees is owed for the family, PHAs will be required to make these additional back-payments of HAP out of their administrative fees.

Miscellaneous

- 70. *Are PHAs required to conduct a full or limited HQS inspection of an eligible DHAP-Ike unit?***

Under section 4.m (Housing Quality Standards) of the DHAP-Ike Operating Requirements (PIH 2008-38), the PHA, initially, must conduct at a minimum a limited inspection to ensure the unit's current condition does not contain any life-threatening deficiencies. The PHA may choose to apply additional criteria to this inspection in accordance with state and local law, as well as the HQS defined in 24 CFR 982.401.

With regard to 24 CFR 982.401(d), each dwelling unit must have at least one living/sleeping room for each two persons, PHAs that choose to apply the full HQS rather than a more limited inspection, may choose to grant an exception from this requirement on a case-by-case basis at the request of the family.

PHAs may only conduct a limited initial inspection for FEMA Rental Assistance families transitioning in-place to DHAP-Ike to ensure the unit does not contain any life-threatening deficiencies.

- 71. *Are PHAs required to conduct subsequent HQS inspections?***

The PHA is not required to conduct further inspections for the unit on a periodic or annual basis. However, the PHA may, at any time as needed, inspect a unit under a DRSC to determine if the unit is in compliance with the application inspection standards as determined by the PHA.

- 72. *Does DHAP-Ike pay for damages to a unit? If not, what monetary recourse does the landlord have against the tenant especially if the owner has no forwarding address for the tenant?***

The owner may withhold, under the terms of the lease and state and local law, any amounts from the security deposit to cover damages to the unit. If the owner chooses to withhold amounts from the security deposit to cover damages to the unit, the owner must withhold any amounts first from the tenant portion, if any, of the security deposit; then from the security deposit assistance provided by the PHA on behalf of the family. The owner must give the tenant and PHA a list of all items charged against the security deposit and the amount of each item.

Beyond these provisions, DHAP-Ike does not pay for damages to a unit.

- 73. *Who can I contact to verify the DHAP-Ike GA has been received?***

The PHA may contact Teresa Palladino at Teresa.M.Palladino@hud.gov.

- 74. *Who do I contact to get the family ported to my agency in DIS? Should I email DHAP-Ike@hud.gov?***

Please email DHAP-Ike@hud.gov with your request and someone on our team will respond to it.

- 75. *Does FEMA provide continued rental assistance for DHAP-Ike families not under a DRSC?***

Yes, FEMA did until June 2009. However, continued rental assistance from FEMA was contingent on several factors including the following: (a) the family has not met their maximum amount of FEMA financial assistance, (b) the family has secured a rental housing unit and notified FEMA, (c) the family has used the initial amount of rental assistance provided by FEMA for housing and has certified that they have continued need, and (d) the family has not declined assistance under DHAP-Ike.

- 76. *Do EOP'd families get referred by HUD to FEMA for a bridge payment?***

No. If a family has been EOP'd by the PHA they will not receive a rental bridge payment from FEMA.

- 77. *How does a PHA add a family to the bridge payment list?***

Bridge payments ended in June 2009. Before that time, HUD submitted a file to FEMA in the third week of each month that listed all active DHAP families not receiving DHAP rental assistance. Families under a DRSC or EOP'd were not reported to FEMA for a bridge payment. On a case by case basis, HUD and PHA staff forwarded families that required a bridge payment to FEMA, if they were not included in the file submitted to FEMA for a given month. However, the standard

operating procedure for determining bridge payment eligibility was the family list submitted by HUD to FEMA each month.

78. *If a family has reached their maximum amount of assistance from FEMA will FEMA still pay their rent until the DRSC is executed?*

No. The applicant is not eligible to receive additional financial assistance from FEMA if the maximum amount (\$28,800) of FEMA financial assistance has already been provided to the applicant for housing and/or other disaster needs. Families that have reached their maximum amount of FEMA assistance are still eligible to receive rental assistance through DHAP-Ike. The family should work closely with their assigned PHA so that a DRSC may be executed on the family's behalf as soon as possible in order for DHAP-Ike assistance to commence.

79. *Who are pre-assigned families?*

These are families that have been living in rental units for which FEMA has been making rental payments. These conditions occur before the families are referred to HUD for DHAP assistance. Please refer to the DHAP Operating Requirements (HUD Notice PIH 2008-38, section 4.e) for more information.

80. *Can a DHAP-Ike family rent a trailer on their own property?*

Yes, but only under the following circumstances:

- 1) If a family is renting a trailer on their own property and the trailer qualifies as a rental unit based on county and state laws and passes inspection, the family is eligible to receive rental assistance from the PHA.
- 2) If the family is renting both the trailer and the land separately, the PHA will only pay for the rental of trailer up to the established payment standard.
- 3) If the land and the trailer are combined into one rental agreement, the PHA will pay for the rental of both the trailer and the land up to the established payment standard.

81. *Can a head of household receive DHAP rental assistance and own occupied rental property?*

Yes, this head of household can qualify under certain circumstances. Initial eligibility for DHAP-Ike is determined by FEMA. Under the initial eligibility requirements for FEMA's "housing need" assistance, individuals do not qualify if they have other adequate rent-free housing available, which would include a rental property that is unoccupied. However, if the rental unit was occupied at the time the family qualified for FEMA housing assistance, ownership of the rental property would not have prohibited their eligibility for DHAP-Ike.

82. ***As long as the unit is not a public housing or other assisted unit, can a family be assisted under DHAP for rental of a room in that unit (and not the entire unit)?***

Yes, if the room is rented under a legal lease and otherwise meets all other DHAP-Ike requirements for a rental unit.

83. ***If the PHA has a waiting list for their Housing Choice Voucher (HCV) program but wishes to offer Housing Choice Vouchers to DHAP-Ike participants (and not others on the waiting list), what steps should the PHA take?***

The PHA must first establish a preference for this population (DHAP-Ike participants) in their HCV program administrative plan, which will require approval from the PHA's board. After the PHA receives approval from their board for this preference, the PHA will advertise and open the HCV waiting list to the DHAP-Ike participants. Upon converting the eligible DHAP-Ike families to the HCV program, the PHA must EOP the family's record in DIS. This EOP will be migrated (without action from the PHA) to ETO.

84. ***What happens when a family is under a DRSC, and the PHA is informed by HUD that the family's pre-disaster HUD-assisted project is available for occupancy?***

The PHA must notify the family that the pre-disaster unit is available. If the family returns to the HUD-assisted project, the PHA completes an EOP record for the family with the reason code "Placed under permanent housing". If the family declines to return to the available pre-disaster HUD assisted project, the PHA advises the family that if the family declines the opportunity to return to their pre-disaster assisted housing, the PHA or owner (as applicable) will lease that assisted unit to another family. The family is then terminated from DHAP-Ike.

85. ***Unless the family qualifies for continued assistance, when does the rental assistance end?***

Rental assistance and case management services will end for participating families on the earlier of:

- 1) Six months following the effective date of the initial DRSC executed on behalf of the family or
- 2) July 31, 2009

86. ***How long should PHAs keep DHAP files for Katrina, Ike and DVP?***

The PHA must maintain complete and accurate accounts and other records for the program in accordance with HUD requirements and in a manner that permits a speedy and effective audit in accordance with OMB-Circular A-133. The records must be a form required by HUD, including requirements governing computerized or electronic forms of record-keeping. The PHA must comply with the financial reporting requirements in 24 CFR part 5, subpart H.

During the term of each assisted lease, and for at least 3 years thereafter, the PHA must keep:

- A copy of the executed lease;
- The DRSC;
- HUD-required reports;
- Unit inspection reports;
- Accounts and other records supporting PHA budget and financial statements for the program;
- Signed statement of Family Obligations;
- Any certifications made by the family that declines to return to their pre-disaster HUD-assisted housing;
- Records to document the basis for PHA determination that the rent to owner is a reasonable rent in accordance with these operating requirements; and
- Other records specified by HUD or FEMA.

87. *What steps should the PHA take if the family wishes to move to another unit, or the owner does not want to participate in DHAP-Ike (or the owner will not take steps to bring the unit to HQS compliance)?*

The PHA will inquire if the family wishes to move to another unit in the PHA's jurisdiction, move back to the pre-disaster jurisdiction, or another jurisdiction to receive DHAP-Ike assistance. If family wishes to remain in the PHA's jurisdiction, the PHA will provide the family with housing search assistance. If the family wishes to move to a different jurisdiction, the PHA is responsible for identifying the DHAP-Ike administering PHA, contacting the HUD RCC to change the PHA assignment in DIS, advising the family how to contact and request assistance from that PHA, and promptly notifying that PHA when to expect the family.

88. *Will HUD provide some type of checklist? Does an information release need to be signed once per year? Or is okay to have just the first ROI?*

The DHAP-Ike program does not require more than one information release be signed for the program. We are preparing a checklist for DHAP-Ike files.

Program Extension

89. *Who was eligible for the DHAP-Ike Extension?*

The Extension does not change the eligibility requirements set forth in the DHAP-Ike Operating Requirements issued in Notice PIH 2008-38 on October 14, 2008, or any reissue of Notice PIH 2008-38. Additionally, families will only be eligible for the DHAP-Ike Extension:

- a. If they were under a DRSC and received a rental assistance payment for the month of March 2010 (by March 31, 2010), or
- b. If they were not under a DRSC or did not receive a rental assistance payment for the month of March 2010 (by March 31, 2010), due to no fault of the family (e.g., the family may have been in between a move or an appeal process may have delayed the payment). In these instances, the PHA may determine eligibility on a case-by-case basis. The PHA must notify HUD with the names of the families who are deemed eligible under this exception.
- c. If the family's participation was terminated from DHAP-Ike by the PHA as of March 1, 2010, but the family requested an appeal of their end of participation decision on or before April 30, 2010. If the family's EOP is reversed, they will be eligible for continued participation in the Extension. If the appeal is not successful, the family is not eligible for continued participation in the Extension. As set forth in the DHAP-Ike Operating Requirements, the PHA should provide the family with assistance until the determination of the appeal is made. The PHA must notify HUD with the names of the families who receive assistance in April under this clause and those that are subsequently deemed eligible for continued assistance.
- d. If they resided in a FEMA Temporary Housing Unit (THU) or a FEMA-funded temporary housing unit and were referred by FEMA to HUD after the date of the execution of IAA Number HSFEHQ-08-X-1760, Modification 8 (February 4, 2010) and before March 13, 2010.

A family that was EOP'd, but not for cause (e.g., no contact or refused assistance), can have their EOP reversed. However, the family must have been under a DRSC and received a rental assistance payment by March 31, 2010 in order to be eligible for the DHAP-Ike Extension.

A family that was EOP'd for cause is not eligible for the DHAP-Ike Extension unless they appeal their EOP by April 30, 2010. Some examples of "for cause" include: being over income, noncompliance with continued eligibility requirements, and noncompliance with case management.

Examples:

- If a family previously refused assistance under DHAP-Ike and was EOP'd by the PHA or HUD, the family may later request assistance and have their EOP reversed. However, the family must have had their EOP

reversed, and execute a DRSC and receive rental assistance in March 2010 (by March 31, 2010) in order to be eligible for the DHAP-Ike Extension.

- If a family was EOP'd for cause, and did not appeal that decision in accordance with the PHA's policies or by April 30, 2010, the family is not eligible to participate in the Extension.
- If a family was EOP'd in January 2010 for being over-income, but later had a change in circumstance that reduces their income below the 30% threshold, this change in circumstance is NOT grounds for an appeal. The family would not be eligible for the DHAP-Ike Extension.

90. *How will my operation of the DHAP-Ike program change under the extension?*

The operating requirements for DHAP-Ike remain largely unchanged, with the following exceptions (**Note: These elements are already in the operating requirements – we are just extending the term for each element**):

- a. Section: General Overview, Page 2, Paragraph 2, is modified to read, "FEMA, through the PHAs, will continue to provide rental assistance payments for eligible families beginning on November 1, 2010 and ending no later than March 31, 2011."
- b. Section: DHAP-Ike Extension Participating PHAs, Page 4, Paragraph 2, is modified to read, "The Grant Agreement Amendment initially extended the term of the original Grant Agreement through October 31, 2010, and will be extended via written notification to the PHA from HUD until March 31, 2011."
- c. Section: DHAP-Ike Extension Fees, Page 6, Paragraph 3 is modified to read, "PHAs would receive a \$150 pre-funding allocation assessment fee for each family that the PHA completes a pre-funding allocation eligibility determination for by the earlier of March 31, 2011 or the date funding awards are made to PHAs under the DHAP-Ike to HCV conversion."
- d. Section: Incremental Rent Transition, Page 7, Paragraph 3 is modified to read, "Families that do not submit a pre-application before March 1, 2011 or the date funding awards are made to PHAs under the DHAP-Ike to HCV conversion would lose their IRT hardship exemption. Once the requirement is satisfied the IRT would revert to the highest amount the family was paying prior to losing the hardship waiver."
- e. Section: Family Obligations, Page 9, Paragraph 3, is modified to read, "In the event that FEMA and HUD extend the term of the DHAP-Ike Extension beyond October 31, 2010, and there is a DHAP-Ike to HCV conversion, families will be encouraged to submit a pre-

application to PHAs by the earlier of March 1, 2011 or the date funding awards are made to PHAs under the DHAP-Ike to HCV conversion."

91. *Do PHAs have to execute a Grant Agreement Amendment to operate under the DHAP-Ike Extension?*

Any extension past May 27, 2010 does not require further signature by the PHA. FEMA, through HUD, may further extend the Grant Agreement Amendment via written notification to the PHA from HUD. Should the program be extended past May 27, 2010, the PHA will receive an amended grant agreement with the new extension date(s). All PHAs eligible to participate in the DHAP-Ike extension, received written notification, and required documentation, from HUD, via email, on Wednesday, October 20, 2010. The email notified PHAs of DHAP-Ike's extension through March 31, 2011. A binding agreement between your PHA and FEMA was in no way contingent upon your signing and returning another Grant Agreement document. The period of performance of the Grant Agreement Amendment was extended through March 31, 2011, upon the PHA's acceptance of (or failure to return within the specified time) any funds, in whole or in part, disseminated to your PHA for the DHAP-Ike Extension.

92. *Will new referrals continue under the term of the Extension?*

No. All new referrals ended on March 13, 2010.

93. *Does a Case A family have to be under DRSC as of March 31st, or by anytime in March? Also, does the family have to be under a DRSC and have received a HAP payment in March 2010, or is just being under a DRSC enough to make the family eligible?*

All families must have been under a DRSC at anytime in March 2010 and the PHA must have made a housing assistance payment for the family in March in order for that family to be eligible for the Extension. If the family was not under a DRSC or did not receive a housing assistance payment in March 2010 due to no fault of the family, the PHA has the discretion to determine the family's eligibility for the Extension on a case-by-case basis.

94. *Will families under DRSC in March 2010 be allowed to move to a new unit and enter into a new lease after March 31, 2010?*

Yes. DHAP-Ike Operating Requirements regarding moves apply under the Extension. In some cases, this may mean that a family will change from Case A (under a DRSC) to Case B (agreed to participate) in the Disaster Information System (DIS) during the term of the move. If they move, the old DRSC is terminated and new DRSC must be executed.

95. ***If a Case A family voluntarily leaves their unit to search for a cheaper one, and as such was not under a DRSC, nor was HAP made on the family's behalf, during the month of March, 2010, does the family fall into the case-by-case eligibility exception for the Extension?***

Yes. PHAs have the discretion to determine that family's eligibility for the Extension on a case-by-case basis. However, if the PHA is unsure on how to proceed in determining the eligibility, the PHA should email DHAP-Ike@hud.gov for further guidance.

96. ***Did THU families also have to be under a DRSC by March 13, 2010?***

No. Families who resided in a FEMA THU or a FEMA-funded temporary housing unit and were referred by FEMA to HUD between February 4, 2010 and March 13, 2010 did not need to be under a DRSC and receive assistance by March 31, 2010 to be eligible for the Extension. If these families were referred to HUD between February 4, 2010 and March 13, 2010 they are eligible to participate in the Extension.

97. ***Are DHAP-Ike landlords required to provide new lease agreements to validate DHAP-Ike program extension to March 31, 2011?***

No.

By the landlord accepting a November 2010 payment or any subsequent rent subsidy payments in whole or in part, the landlord agrees to:

1. To provide the specified dwelling unit(s), according to the terms of the DHAP-Ike Extension, to the tenant(s) listed on Attachment A for the month(s) for which you accept the subsidy payment for those tenant(s);
2. To continue accepting monthly rent subsidy payments (reduced by \$50 per tenant per month, as set forth above, unless said tenant qualifies for a hardship waiver) for each tenant you agree to house in November, and to continue providing housing services to such tenants according to the terms of the DHAP-Ike Extension, for up to the end of the Extension (March 31, 2011), or until the tenant no longer qualifies for assistance or chooses no longer to live at the premises, whichever comes first;
3. To report promptly (within 14 days) to the Housing Authority when the tenant vacates the unit or when you learn the tenant begins to receive a non-DHAP rental subsidy. If you are receiving non-DHAP rental assistance for a tenant, you are prohibited from accepting DHAP rental assistance for that tenant; and
4. To return any unused or unaccepted amount of rental assistance for any month within 30 days from receipt of the payment, along with a list identifying tenant(s) who have vacated the unit(s) or for whom you no longer can or will accept rental assistance. The enclosed

federal funds may only be used to provide rental assistance for the tenant(s) listed in Attachment A.

98. *Does case management change under the DHAP-Ike Extension?*

No. All DHAP-Ike case management policies stay in effect under the DHAP-Ike Extension. For example, the maximum average caseload ratio of case managers to households must not exceed 1:50.

99. *If a family has not been assessed for Continued Eligibility (CE) in the current quarter could they still be eligible for the Extension?*

Yes. CE does not impact eligibility for the Extension. A family is eligible for the Extension based on one of the eligibility criteria specified in Question #89. However, a family may not receive a housing assistance payment unless their CE is current, based on the quarterly assessment schedule for that family, and they are determined eligible under the assessment. If the family has not complied with PHA and HUD requirements for submitting documents under the CE process, the PHA may terminate the family for cause in accordance with DHAP policies.

The Standard Operating requirements for CE apply under the Extension. The family must demonstrate that their current housing costs exceed 30 percent of their current monthly income as required by FEMA. The PHA will use the family's annual income (24 CFR part 5.609) divided by 12. Housing costs are defined as:

1. The rent for the DHAP-Ike unit in which the family is residing; and
2. Mortgage payments, if any, on the family's primary pre-disaster residence, including principal, interest, real estate taxes, real property insurance and the cost of utilities.

Please note for #1, above, that rent is calculated as the full rent of the family's DHAP-Ike unit (not simply the family share of the rent under DHAP-Ike) as well as the utility allowances established by the PHA for the PHA's Housing Choice Voucher program. Please keep in mind that under DHAP-Ike, the gross rent of the DHAP-Ike unit (rent to owner under the lease plus the PHA utility allowances for any utilities that are the tenant's responsibility) is only used for the purposes of establishing continuing eligibility and not for determining the amount of the DHAP-Ike monthly rent subsidy.

If the PHA erred in calculation of housing costs for the purposes of continued eligibility assessment by not including the utility allowance in the calculation of rent, the PHA should re-calculate the family's housing costs to include the utility allowance. The family can request a hearing from the PHA in accordance with the

DHAP-Ike Operating Requirements if the housing costs were incorrectly calculated.

101. Does the IRT hardship exemption policy change under the DHAP-Ike Extension?

No. All DHAP-Ike IRT hardship exemption policies stay in effect under the DHAP-Ike Extension. PHAs may grant a family an exemption provided that the family meets the conditions as set forth in the original DHAP-Ike Operating Guidelines. PHAs should ensure families are aware of the IRT hardship exemptions and the process for applying.

102. Does the \$50 Incremental Rent Transitional (IRT) step down change under the Extension?

No. All DHAP-Ike IRT policies stay in effect under the DHAP-Ike Extension.

103. How is the \$50 IRT step down policy applied to new THU families under the DHAP-Ike Extension?

All DHAP-Ike IRT step down and exemption policies stay in effect under the DHAP-Ike Extension. New THU families are required to contribute the same amount of rent payment as existing families. The THU family must start at the same level as existing families. For example, if the family entered into a DRSC on May 1, 2010, the family would contribute \$600 towards their rent. New IRT hardship exemptions may be executed provided that the family meets the conditions as set forth in the original DHAP-Ike Operating Guidelines. Every DHAP-Ike participant pays the same IRT; the amount is not dependent upon when the participant entered the program. The breakdown is as follows:

May 2009: \$50	February 2010: \$500
June 2009: \$100	March 2010: \$550
July 2009: \$150	April 2010: \$600
August 2009: \$200	May 2010: \$650
September 2009: \$250	June 2010: \$700
October 2009: \$300	July 2010: \$750
November 2009: \$350	August 2010: \$800
December 2009: \$400	September 2010: \$850
January 2010: \$450	October 2010: \$900
November 2010: \$950	February 2011: \$2000
December 2010: \$1000	March 2011: \$2050
January 2011: \$1050	

104. If a PHA no longer has any families that are under DHAP-Ike, does the PHA still need to sign a Grant Agreement Amendment?

No. However, HUD strongly encourages each PHA to sign a Grant Agreement Amendment for the DHAP-Ike Extension even if it does not currently have any families participating in DHAP-Ike. First, the Amendment will allow the PHA to serve new referrals (if there are any in the PHAs jurisdiction that are referred by FEMA between February 4, 2010 and March 13, 2010). Second, the Amendment allowed the PHA to serve families who could possibly be reinstated in DHAP-Ike before March 31, 2010 or those that would like to relocate to your jurisdiction. Finally, the Amendment sets forth fees the PHA may earn in the event of a DHAP-Ike to HCV conversion for any qualifying families.

If a PHA is hesitant about signing the Grant Agreement, or has questions about the benefits of doing so, please email DHAP-Ike@hud.gov.

105. *Can PHAs back-date DRSC Amendments under the DHAP-Ike Extension?*

Yes. The DHAP-Ike Extension Operating Requirements state that a family with an existing DHAP-Ike DRSC must be placed under an Amended DHAP-Ike DRSC before a PHA may make additional rental assistance payments in April and beyond, and that the PHA should execute the Amended DRSC with landlords by April 1, 2010.

However, the PHA may back-date the DRSC Amendment up to 60 days, if warranted by individual circumstances. In such instances, the rent subsidy payment may be made retroactively to cover a period up to 60 days prior to the actual extension of the amendment.

The DRSC Amendment has the same relationship to the lease under the Extension as the DRSC had to the lease during the initial stage of DHAP-Ike. That is, the DRSC automatically terminates upon expiration of the lease.

106. *In the DRSC addendum, Part A 4 - Effective date of Contract, should PHAs fill in the date of the original DRSC, the date of the addendum, or the date of the first payment?*

The effective date of the DRSC Amendment should be the date that housing assistance payments (HAP) start for each family under the Extension. For example, if a DRSC Amendment was executed by a PHA on March 18, 2010, the effective date of the amendment would be April 1, 2010. In another example, if the DRSC Amendment is not executed until May 10, 2010, the PHA could back-date the effective date of the Amendment to April 1, 2010. Under the DHAP-Ike Extension, PHAs may back date the effective date of the DRSC Amendment up to 60 days.

107. *If a PHA chooses not to participate in the DHAP-Ike Extension how will families assigned to the PHA receive assistance under the Extension?*

If a PHA chooses not to participate in the DHAP-Ike Extension, all families currently assigned to the PHA will be ported to a new PHA for assistance under the Extension. The former PHA must provide information to HUD and the

servicing PHA regarding which families are eligible for the Extension. All eligible families residing outside of Louisiana will be served by TX999 - Harris County DHAP-USA. Eligible families within the state of Louisiana will be served by LA889 - Pilgrims Rest Community Development Agency.

108. *When should a new DRSC be executed versus a DRSC Amendment?*

PHAs should execute DRSC Amendments for all families that have current DRSCs which were executed using the original DHAP-Ike DRSC template. A DRSC Amendment must be in place for these families in order for them to receive housing assistance payments starting April 1, 2010. The PHA can execute a DRSC Addendum after the termination date of the original DRSC so long as the DRSC terminated no earlier than March 2010, the lease remains in place and the landlord is unchanged.

If a PHA executes a new DRSC after February 4, 2010, the PHA should use the new DHAP-Ike DRSC template. This new DRSC is updated with the same information in the DRSC Amendment. The new DRSC must also be executed for any family that was under a DRSC or DRSC Amendment but subsequently entered into a new lease agreement.

109. *How should PHAs update DIS when a DRSC Amendment is executed?*

When a DRSC amendment is executed, the PHA must update the lease termination date to the new term date of the DRSC in DIS. The PHA does not change the effective date of the original DRSC. If the PHA executes a new lease, the PHA will create a new lease record in DIS to reflect the updated dates, address, rent, etc.

110. *Can a PHA require families to provide documentation of citizenship or eligible immigrant status in order to receive DHAP-Ike assistance?*

No. Initial eligibility for DHAP-Ike assistance is determined solely by FEMA, not the PHA. While PHAs are restricted from assisting ineligible immigrants in the HCV program (see CFR part 5, subpart E – Restrictions on Assistance to Noncitizens), this restriction does not apply to DHAP-Ike, which is authorized under separate statute. Once FEMA refers a family to DHAP-Ike, a PHA cannot decide that the family is ineligible because of their immigration status.

111. *If a family wishes to port-out, can the receiving PHA accept the port-in? Does the initial PHA have to provide the receiving PHA with a newly signed DRSC?*

Yes. A family can port once during the entire program. With respect to the DRSC, when a family is ported out, they will have to enter into a new DRSC with the new landlord and the receiving PHA. It is not the responsibility of the initial

PHA to execute the new DRSC. Please see FAQ #21 for more details regarding ports.

113. *Are PHAs expected to suspend payment for lack of signed new DRSC amendments? If so, when should this occur?*

The PHAs should have signed and amended DRSCs, but HUD understands that it can sometimes take a bit of time to track down landlords, so PHAs can proceed with payment because it is not the family's fault – but the PHA should be able to verify that they are working on obtaining the signed DRSC and it must be in the file within a “reasonable” amount of time. This could be 30-60 days but should not be more than six months.

114. *Have there been changes made to DIS in preparation of a pending conversion?*

Yes. RFTA and HQS Inspection boxes were placed in DIS in the event a conversion takes place. The full HQS inspection boxes are to be used for the unit for which the family wants to use their voucher.

115. *If a family received a deposit the “first time” they were housed under DHAP-Ike and vacated the unit for fear of program end, does this mean that the family will not be provided deposit assistance on the second unit?*

This situation has to be addressed on a case-by-case basis. If a PHA has a family in this situation, please contact HUD to determine whether or not they qualify for deposit assistance on the second unit.

116. *Is there an audit checklist for PHA's DHAP-Ike tenant files?*

The OIG auditors do not share their audit checklist. However, HUD will send a list of documents and items that should be included in DHAP-Ike tenant files. The listing is based on the file reviews that we have been performed by the office of Disaster Housing Programs.

